

## **REMARKS**

In the Office Action, the Examiner rejected claim 1-7 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 2,060,101 to Moody; rejected claims 1-5 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 411,864 to Leaycraft; rejected claims 14-20 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 4,032,262 to Zehnder in view of Moody; and rejected claims 9-17 and 20 under 35 U.S.C. § 103(a) as being unpatentable over Zehnder in view of Leaycraft. Applicants respectfully traverse each of the rejections.

### **Rejections under 35 U.S.C. § 102**

Applicants respectfully traverse the rejection of claims 1-7 under 35 U.S.C. § 102(b) as being anticipated by Moody. The rejected claims are not anticipated by Moody, because Moody fails to disclose each and every element of independent claim 1. Moody fails to disclose any connecting duct having all the claimed features including among other things, "a main body inlet coupled to the low pressure compressor and a main body outlet coupled to the high pressure compressor," as recited in independent claim 1.

Moody discloses a single hydraulic turbine in a conduit. Moody's turbine does not compress and cannot be a compressor. Consequently, Moody fails to disclose a low pressure compressor and a high pressure compressor because a single turbine is neither one of the recited compressors. For at least this reason, claim 1 is allowable over Moody. Claims 2-7 are allowable at least for their dependence on claim 1.

Applicants respectfully traverse the rejection of claims 1-5 under 35 U.S.C. § 102(b) as being anticipated by Leaycraft. The rejected claims are not anticipated by

Leaycraft, because Leaycraft fails to disclose each and every element of independent claim 1. For example, Leaycraft fails to disclose “a main body inlet coupled to the low pressure compressor and a main body outlet coupled to the high pressure compressor,” as recited in independent claim 1.

Leaycraft discloses a pneumatic dispatch tube. There is no disclosure in Leaycraft of a compressor. Consequently, Leaycraft fails to disclose a low pressure compressor and a high pressure compressor. For at least this reason, claim 1 is allowable over Leaycraft. Claims 2-5 are allowable at least for their dependence on claim 1.

### **Rejections under 35 U.S.C. § 103**

Applicants respectfully traverse the rejection of claims 14-20 under 35 U.S.C. § 103(a) as being unpatentable over Zehnder in view of Moody. No *prima facie* case of obviousness has been established with respect to claims 14-20 for at least the reason that neither Zehnder nor Moody, either alone or in combination, discloses or suggests every claim element.

With respect to claims 14-20, neither reference discloses or suggests “a diffusing section adapted to decrease a velocity of the flow of fluid from a first velocity at the outlet of the first compressor to a second velocity at the inlet of the second compressor, the diffusing section having an inlet and an outlet, the cross-section of the diffusing section inlet being smaller than the cross-section of the diffusing section outlet,” as recited in independent claims 14 and 20.

As indicated in the Office Action, Zehnder fails to disclose the structural details, including a diffusing section. The Office Action points to Moody, for an alleged recitation

of a diffusing section. Office Action at 4. However, the alleged diffusing section of Moody does not disclose or suggest any structure that would “decrease a velocity of the flow of fluid from a first velocity at the outlet of the first compressor to a second velocity at the inlet of the second compressor,” or any “diffusing section inlet being smaller than the cross-section of the diffusing section outlet.”

Furthermore, there is would be no motivation to combine Zehnder and Moody. Moody discloses a spillway for a power generation turbine in a dam. One of ordinary skill in the art would not look to dam spillway design for a diffusing section for series compression in an internal combustion engine intake system.

For at least these reasons, the § 103 rejection of claims 14-20 should be withdrawn. Applicants respectfully submit that independent claims 14 and 20 are allowable over Zehnder and Moody. Claims 15-19 each depend from independent claim 14, and as such are allowable at least for their dependency on an allowable claim.

Applicants respectfully traverse the rejection of 9-17 and 20 under 35 U.S.C. § 103(a) as being unpatentable over Zehnder in view of Leaycraft. No *prima facie* case of obviousness has been established with respect to claims 9-13, 14-17 and 20 for at least the reason that neither Zehnder nor Leaycraft, either alone or in combination, discloses or suggests every claim element.

With respect to claim 9, neither cited reference discloses or suggests “straightening the flow of fluid,” as recited in independent claim 9. As indicated in the Office Action, Zehnder fails to disclose the structural details, including a straightening of the flow of fluid. The Office Action points to Leaycraft for an the alleged recitation of a straightening of a flow of fluid. Leaycraft fails to overcome the deficiencies of Zehnder.

As discussed above, Leaycraft discloses a pneumatic dispatch tube. The Office Action appears to suggest that dispatch container C shown in the dispatch tube is a flow straightening device. However, since the dispatch container travels in the tube by substantially blocking the flow of air, which creates a pressure differential, dispatch container C cannot be a straightener.

With respect to claim 14, neither reference discloses or suggests “a flow de-swirling section,” as recited in independent claim 14. As previously discussed, Zehnder fails to disclose the structural details, including a straightening or de-swirling of the flow of fluid and Leaycraft fails to overcome the deficiencies of Zehnder. Leaycraft does not disclose any structure that could be a flow de-swirling section.

With respect to claim 20, neither reference discloses or suggests “a de-swirling means,” as recited in independent claim 20. As previously discussed, Zehnder fails to disclose the structural details, including a straightening or de-swirling means and Leaycraft fails to overcome the deficiencies of Zehnder. Leaycraft does not disclose any structure that could be a de-swirling means.

For at least these reasons, the § 103 rejection of claims 9-17 and 20 should be withdrawn. Applicants respectfully submit that independent claims 9, 14 and 20 are allowable over Zehnder and Leaycraft. Claims 10-13 and 15-17 each depend from one of independent claims 9 and 14, and as such are allowable at least for their dependency on an allowable claim.

#### **New Claim 21**

By this amendment, new claim 21 is added. Applicants submit that claim 21 is allowable over the prior art. None of the cited art discloses or suggests the invention

defined by claim 21, including "a diffusing section adapted to decrease a velocity of the flow of fluid wherein the diffusing section has an inlet and an outlet, wherein the diffusing section outlet is coupled to the high pressure compressor and wherein the cross-sectional area of the diffusing section outlet is greater than the cross-sectional area of the diffusing section inlet."

**Conclusion**


In view of the foregoing amendments and remarks, Applicant respectfully requests reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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By:   
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